UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1999/NGO/107
17 March 1999

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Item 9 of the provisions agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by Pax Christi, International Catholic Peace Movement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[2 March 1999]

GE.99-11531 (E)

The struggle for peace in Colombia

1. The struggle for peace in Colombia continues in the midst of multiple problems. The Government and the guerrillas started talks this year, but there is little progress. The talks are suspended while the war is escalating and becoming more inhumane. We cannot say that the parties in conflict have a firm will to come to a sustainable and stable peace. To obtain such a sustainable peace, it is necessary to negotiate with all the parties - military, paramilitary and guerrillas - while it is essential to also include civil society in the debate.

2. The contribution of the international community is really decisive, as much in pressing the parties to negotiate as in trying to mediate between their different points of view. At this moment it is necessary to insist on the following four points, which are essential for progress towards peace:

(a) **International humanitarian law.** It is no secret that those suffering the most from the Colombian war are the civilian population. In fact, the war is fought over their heads. Colombia has more than a million displaced and exiled people, and hundreds of thousands of mutilated, kidnapped, disappeared, widows and orphans. The parties to the conflict inflict much more damage to the goods and rights of people who have nothing to do with the war than they do on each other. It is necessary that the Colombian State, which has ratified Additional Protocol II to the Geneva Conventions, take all the necessary measures to implement international humanitarian law in practice. For their part, the guerrillas and the paramilitary, who have both refused to formalize unilaterally their respect for principles contained in the Conventions, will finally do so and start to apply them in their daily actions. Full implementation of international humanitarian law will avoid a lot of pain and suffering. The acceptance by the parties to the conflict of international verification of their compliance with the principles contained in Addition Protocol II will give their decision to do so more credibility;

(b) **Abolish the practice of kidnapping.** One of the most horrendous crimes being committed in the Colombian war is the kidnapping of people with the aim of earning money or exercising political pressure. Nothing can be more harmful to human rights than to take away people from their families and submit them to the most brutal forms of psychological and social oppression. This crime against humanity, committed mainly by the guerrillas but also by common criminals and the paramilitary, has degraded the Colombian conflict to unprecedented depths and causes irreparable damage to society. By continuing these practices, which are violations of the Geneva Conventions (art. 3 (1), concerning the taking of hostages), the guerrillas of the altruistic and ethical motivations for their struggle will continue to lose credibility. Multinational enterprises have contributed to this practice, paying large ransoms for kidnapped employees. By doing so, they have aided the violence and the conflict itself. The time has come for foreign enterprises to try to find alternatives that will truly help to overcome this plague. The European Union could formulate a common code of conduct for multinationals to confront kidnappings and extortion, crimes that are especially flourishing in Colombia;

(c) **Overcoming retaliation against civilians as a method of war**. The paramilitary use a perverse method of war: killing peasants or inhabitants of poor neighbourhoods in the conflict zones. More recently, they have kidnapped, killed and threatened employees of human rights NGOs, thereby supposedly taking away support for the guerrillas. These infamous actions against unarmed people have created indignation in Colombia and should stop immediately. The international community should apply pressure by all the means at its disposal to end these practices;

(d) **International support to the Peace Communities.** In some regions in Colombia a beautiful form of resistance against the war is growing, carried on by humble people. These are the Peace Communities that are established in Choco and Uraba, which have been supported by Pax Christi from the beginning. These communities have decided to be independent and neutral in the conflict. They have taken the risk to refuse support to any of the parties to the conflict and demand respect for their lives and goods. In fact, the Peace Communities are international humanitarian law put into practice. Helped by the local church and the international community, these communities are organizing themselves in order to demand respect for their rights as civilians and to continue their lives with valour and solidarity.

3. The international community would be of enormous help to Colombia by encouraging the establishment of new Peace Communities and supporting those that already exist. Also, the international community should pressure the parties to the conflict to respect the integrity and neutrality of the Peace Communities.